

Amendment No. 1 to HB0162

McManus  
Signature of Sponsor

**AMEND Senate Bill No. 168\***

**House Bill No. 162**

by deleting the word "Commissioner" in § 45-7-227(a)(5) in the amendatory language of SECTION 3 of the bill as introduced and substituting instead the word "commissioner".

**AND FURTHER AMEND** by deleting the language "Department of Justice" in § 45-7-228 in the amendatory language of SECTION 4 of the bill as introduced and substituting instead the language "department of justice".

**AND FURTHER AMEND** by deleting SECTION 5 of the bill as introduced and substituting instead the following:

SECTION 5. Tennessee Code Annotated, Title 45, Chapter 7, Part 2, is amended by adding the following language as a new, appropriately designated section:

45-7-229. In order to promote more effective regulation and reduce regulatory burden through supervisory information sharing:

(1) The requirements under any federal or state law regarding the privacy or confidentiality of any information or material provided to a multi-state automated licensing system, and any privilege arising under federal or state law, including the rules of any federal or state court, with respect to such information or material, shall continue to apply to the information or material after the information or material has been disclosed to a multi-state automated licensing system. The information or material may be shared with all state and federal regulatory officials with money transmission oversight authority without the loss of privilege or the loss of confidentiality protections provided by federal or state law, including the protection available under § 45-1-120 and § 45-7-216.

Amendment No. 1 to HB0162

McManus  
Signature of Sponsor

AMEND Senate Bill No. 168\*

House Bill No. 162

(2) For purposes of subdivision (1), the commissioner is authorized to enter into agreements or sharing agreements with other governmental agencies, the Conference of State Bank Supervisors or other associations representing governmental agencies as established by rule, regulation or order of the commissioner.

(3) Information or material that is subject to a privilege or confidential under subdivision (1) shall not be subject to:

(A) Disclosure under any federal or state law governing the disclosure to the public of information held by an officer or any agency of the federal government or the respective state; or

(B) Subpoena or discovery or admission into evidence in any private civil action or administrative process, unless with respect to any privilege held by a multi-state automated licensing system applicable to such information or material, the person to whom such information or material pertains waives that privilege, in whole or in part, in the discretion of such person.

(4) This section shall supersede any inconsistent provisions of Title 10, Chapter 7, Part 5, pertaining to the records open to public inspection.

(5) This section shall not apply with respect to information or material relating to publicly adjudicated disciplinary and enforcement actions against

persons subject to this chapter that is included in a multi-state automated  
licensing system for access by the public.

**AND FURTHER AMEND** by deleting SECTION 2 of the bill as introduced and renumbering the  
remaining sections accordingly.